

**NOTICE OF FORECLOSURE SALE**

April 13, 2021

FILED FOR RECORD

2021 APR 13 PM 3:54

DIANE GONZALES  
ATASCOSA COUNTY CLERK

BY K. L. L. L. DEPUTY

**Deed of Trust:**

Dated: August 15, 2016

Grantor: Johnaton Ruben Trevino (a/k/a Johnathon Ruben Trevino)

Original Trustee: Delia Leal

Original Lender: RDCD Properties, LLC

Recorded in: Clerk's File No. 173742, Official Public Records, Atascosa County, Texas

Secures: Promissory Note (the "Note") dated August 15, 2016, in the original principal amount of \$57,340.00, executed by Johnaton Ruben Trevino (a/k/a Johnathon Ruben Trevino) ("Borrower") and payable to the order of Lender.

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Diane Gonzales ("Beneficiary") by instrument dated October 31, 2017, from RDCD Properties, LLC, recorded under Clerk's File No. 183160, Official Public Records, Atascosa County, Texas.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described on **Exhibit "A"** attached hereto incorporated herein by reference.

Substitute Trustee: Michael A. Repka

Appointment: Appointment of Substitute Trustee executed on April 13, 2021, by Diane Gonzales, recorded under Clerk's File No. 213061, Official Public Records, Atascosa County, Texas, a copy of which is attached hereto as **Exhibit "B"** and incorporated herein by reference.

Substitute Trustee's

Address: 208 North Smith Street  
Pleasanton, Texas 78064  
Atascosa County

**Foreclosure Sale:**

Date: Tuesday, May 4, 2021

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 4:00 p.m. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: AT THE WEST PORCH TO THE ATASCOSA COUNTY COURTHOUSE, located at 1 Courthouse, Circle Drive, Jourdanon, Atascosa County, Texas 78026, or, if the preceding area is no longer the area designated by the Atascosa County Commissioners Court, at the area most recently designated by the Atascosa County Commissioners Court.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Beneficiary's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Beneficiary, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Beneficiary passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Beneficiary. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold **"AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.


**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

*[Handwritten signature of Michael A. Repka]*

Michael A. Repka  
SBN: 24074943  
P.O. Box 737  
208 North Smith Street  
Pleasanton, Texas 78064  
Phone: (830) 569-8787  
Fax: (888) 507-8155  
michael@mrepkalaw.com  
ATTORNEY FOR DIANE GONZALES

STATE OF TEXAS       §  
                                      §  
COUNTY OF ATASCOSA §

This document was acknowledged before me on this the 13th day of April, 2021, by Michael A. Repka.

Seal:  JESSICA BOSQUEZ  
Notary Public, STATE OF TEXAS  
My Commission Expires 05/17/2023  
I.D.# 13201885-9

*Jessica Bosquez*  
Notary Public, State of Texas  
My commission expires: 5/17/2023

## **EXHIBIT "A"**

### **Property (including any improvements):**

BEING the East One-Half (E 1/2) of Lot Number Seven (7), all of Lot Number Eight (8), and the West One-Half (W 1/2) of Lot Number Nine (9) in Block Number Sixty-Nine (69), Bowen Addition, an addition to the City of Pleasanton, Atascosa County, Texas, as per map or plat of said Addition recorded on Sheet 7-B, New Plat Cabinet, Plat Records, Atascosa County, Texas, and more commonly known as 926 Sanchez, Pleasanton, Texas 78064.

Along with any other property of any kind subject to the Loan Documents, or extensions or modifications thereof, if applicable.



**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

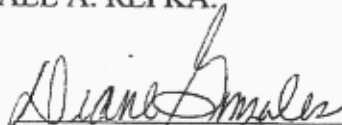
**APPOINTMENT OF SUBSTITUTE TRUSTEE**

**Re: Deed of Trust dated August 15, 2016, from Johnaton Ruben Trevino (a/k/a Johnathon Ruben Trevino) to Delia Leal, Trustee for the benefit of RDCD Properties, LLC, recorded under Clerk's File No. 173742, Official Public Records, Atascosa County, Texas (the "Deed of Trust"), covering the property described on Exhibit "A" attached hereto and incorporated herein by reference.**

The following person is hereby appointed as Substitute Trustee to exercise the power of sale under the Deed of Trust:

Name: MICHAEL A. REPKA  
Address: 208 North Smith Street  
Pleasanton, Texas 78064  
Atascosa County


The Substitute Trustee is appointed as of the date of the acknowledgment below, pursuant to Texas Property Code Section 51.0075, to succeed to all title, powers, and duties of the original or successor trustees. The original or successor trustees are hereby removed in favor of Substitute Trustee, MICHAEL A. REPKA.

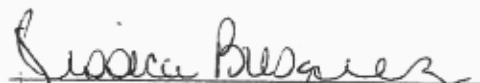
  
DIANE GONZALES

**ACKNOWLEDGMENT**

STATE OF TEXAS       §  
                                      §  
COUNTY OF ATASCOSA §

This instrument was acknowledged before me on this the 13th day of April, 2021, by DIANE GONZALES.

Seal:  JESSICA BOSQUEZ  
Notary Public, STATE OF TEXAS  
My Commission  
Expires 05/17/2023  
I.D.# 13201885-9

  
Notary Public, State of Texas  
My commission expires: 5/17/2023

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Along with any other property of any kind subject to the Loan Documents, or extensions or modifications thereof, if applicable.

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS



Diane Gonzales, County Clerk

Atascosa County Texas

April 13, 2021 01:39:32 PM

FEE: \$30.00

BCHAPA

213061

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